

# PLANNING COMMISSION MINUTES

February 27, 2002

## CALL TO ORDER:

Chairman Vlad Voytilla called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

## ROLL CALL:

Present were Chairman Vlad Voytilla, Planning Commissioners Bob Barnard, Gary Bliss, Eric Johansen, Dan Maks, Bill Young and Shannon Pogue; and Alternate Planning Commissioner Steven Olson.

Associate Planner Tyler Ryerson, Transportation Engineer Sean Morrison, Assistant City Attorney Ted Naemura and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Voytilla, who presented the format for the meeting.

## VISITORS:

Chairman Voytilla asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

## STAFF COMMUNICATION:

On question, staff indicated that there were no staff communications.

## NEW BUSINESS:

Chairman Voytilla opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

**PUBLIC HEARING:****A. SV 2001-0004 – ELECTRIC STREET RIGHT-OF-WAY STREET VACATION**

The applicant requests Street Vacation approval to vacate approximately 3,400 square feet of an unimproved remnant cul-de-sac in the right of way of SW Electric Street. If approved, the vacated area of SW Electric Street will be conveyed to the adjacent property to the south in accordance with the result of a Vacation and Dedication Agreement between the City of Beaverton and the owner of the adjacent property. The proposed Street Vacation is located on SW Electric Street between SW 139<sup>th</sup> Avenue and SW Tualaway Avenue, and is more specifically described as Tax Lot 600, Washington County Assessor's Map 1S1-16BA. The affected parcel is zoned General Commercial (GC) and totals approximately 2.98 acres in size.

All Planning Commissioners indicated that they had either visited or were familiar with the site and that they had not had any ex parte contact with any individual(s) with regard to this application.

Associate Planner Tyler Ryerson presented the Staff Report and discussed the request for this right-of-way street vacation, observing that this request has been initiated by the City of Beaverton in conjunction with a Vacation and Dedication Agreement with the owner of the adjacent property. He explained that the Planning Commission will make a recommendation to the City Council, who will make a final decision on April 8, 2002. He provided background information with regard to an application submitted by *Sunset Imports* in the year 2000, at which time they receive approval for a 6,500 square foot building and a portion of right-of-way for the connection of SW Electric Street to the intersection of SW Whitney Street and SW 139<sup>th</sup> Avenue was dedicated. At that time the City of Beaverton had agreed to process the Street Vacation for the cul-de-sac bulb, which would be returned to the *Sunset Import* property at such a time when it is no longer necessary, which has now occurred. Concluding, he recommended that the Planning Commission make a recommendation for approval to the City Council, and offered to respond to questions and comments.

Commissioner Johansen expressed appreciation to staff for relocating the vicinity map to the beginning of the Staff Report where it is more easily accessible.

**APPLICANT:**

**SEAN MORRISON**, Traffic Engineer for the City of Beaverton, expressed appreciation to Planning staff for their efforts on behalf of this application and briefly explained the rationale for requesting this right-of-way street vacation. Concluding, he offered to respond to any questions or comments.

1 Referring to a survey of the property, Commissioner Bliss mentioned that this  
2 survey had revealed two different encroachments and questioned whether the  
3 applicant has any comments with regard to consideration with regard to these  
4 encroachments from a legal standpoint.

5  
6 Observing that he is unable to speculate with regard to any future development of  
7 the right-of-way into the street, Mr. Morrison pointed out that the issue would be  
8 addressed at that time. He deferred the legal aspect of this issue to Assistant City  
9 Attorney Ted Naemura, who explained that because the encroachment could be  
10 addressed at the time of improvement and should not affect any plans for  
11 improvement to that area, the situation should pose no risk to the City of  
12 Beaverton.

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14 **PUBLIC TESTIMONY:**

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16 On question, no member of the public appeared to testify with regard to this issue.

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18 On question, staff had no comments at this time.

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20 The public portion of the Public Hearing was closed.

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22 On question, Mr. Naemura indicated that he had no comments at this time.

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24 All Planning Commissioners expressed their opinion that the application meets  
25 applicable criteria and stated that they are in support of a motion for approval.

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27 Commissioner Pogue **MOVED** and Commissioner Maks **SECONDED** a motion  
28 that that SV 2001-0004 – Electric Street Right-of-Way Street Vacation be  
29 **APPROVED**, based upon the testimony, reports and exhibits presented during  
30 the Public Hearing on the matter and upon the background facts, findings and  
31 conclusions found in the Staff Report dated February 20, 2002, and upon  
32 Condition of Approval No. 1.

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34 Motion **CARRIED**, unanimously.

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36 **APPROVAL OF MINUTES:**

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38 Minutes of the meeting of February 13, 2002, submitted. Commissioner Maks  
39 requested that line 40 be deleted, adding that he prefers that the minutes reflect  
40 that the decision to grant a continuance is based upon the applicant's request,  
41 rather than the lack of a quorum. Commissioner Johansen **MOVED** and  
42 Commissioner Bliss **SECONDED** a motion that the minutes be approved as  
43 amended

44  
45 Motion **CARRIED**, unanimously.

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1 **MISCELLANEOUS BUSINESS:**

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3 The meeting adjourned at 7:17 p.m